

Prob 12 (10/09)
VAE (rev. 5/17)

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF VIRGINIA

U.S.A. vs. Darrell Ferguson Docket No. 1:17-MJ-193

Petition on Probation or Supervised Release

COMES NOW STANLEY E. LEIGH, PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Darrell Ferguson, who was placed on supervision by the Honorable Michael S. Nachmanoff, United States Magistrate Judge sitting in the Court at Alexandria, Virginia, on the 1st day of May, 2017, who fixed the period of supervision at 1 year, and imposed the general terms and conditions heretofore adopted by the Court and also imposed special conditions and terms as follows:

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RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

See Attachment(s)

PRAYING THAT THE COURT WILL ORDER a summons to be issued directing that the offender appear before the Court to show cause why supervision should not be revoked.

RETURNABLE DATE: Tuesday, June 19, 2018 @ 10:00 am

ORDER OF COURT

Considered and ordered this 7th day of April, 2018 and ordered filed and made a part of the records in the above case.

/s/ Michael S. Nachmanoff
United States Magistrate Judge

Michael S. Nachmanoff
United States Magistrate Judge

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on:

Joanne E. Marden

Digitally signed by Joanne E. Marden
Date: 2018.04.06 11:19:37 -04'00'

for Stanley E. Leigh
U.S. Probation Officer
703-299-2359

Place Alexandria, Virginia

TO CLERK'S OFFICE

Petition on Probation

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RE: Ferguson, Darrell

OFFENSE: Driving Under the Influence, in violation of 18 U.S.C. § 13 assimilating VA Code § 18.2-266(ii); and Failure to Stay in One Lane, in violation of 36 CFR 634.25(f) adopting VA Code § 46.2-804.

SENTENCE: On May 1, 2017, Mr. Ferguson was sentenced to 12 months supervised probation with the following special conditions: 1) The defendant shall enter and successfully complete an alcohol education program as directed; 2) The defendant shall not operate a motor vehicle anywhere in the United States for a period of one (1) year except: a) to, from and as directly required by the defendant's employment, b) to and from the probation office, c) to and from the alcohol program, d) to and from this court, e) to and from religious services and to and from daycare with a schedule provided in advance to the probation officer; and 3) The defendant shall pay the fine and special assessment within 30 days.

On June 26, 2017, Your Honor approved a Report of Initial Positive Urinalysis based on the defendant's use of marijuana.

On June 29, 2017, Your Honor approved the added condition for substance abuse testing and treatment at the direction of probation.

ADJUSTMENT TO SUPERVISION: Mr. Ferguson is being supervised in the District of Maryland based on his residence in that jurisdiction. On March 10, 2018, he completed the Alexandria Alcohol Safety Action Program. On April 3, 2018, Mr. Ferguson was scheduled to complete treatment at the Renaissance Treatment Center. Confirmation of treatment completion is currently pending. He has stable employment with Advanced Automation Technology in Upper Marlboro, Maryland, and he satisfied his fine and special assessment. On April 5, 2018, a records check did not reveal any outstanding warrants or arrests since the December 2017, incident. Mr. Ferguson has a valid Maryland driver's license.

VIOLATIONS: The following violations are submitted for the Court's consideration.

MANDATORY CONDITION: COMMISSION OF NEW OFFENSES.

STANDARD CONDITION #7: EXCESSIVE USE OF ALCOHOL.

SPECIAL CONDITION: DRIVING OUTSIDE RESTRICTIONS.

On March 29, 2018, the U.S. Probation Office in the District of Maryland advised on December 15, 2017, at approximately 0345 hours, Mr. Ferguson was cited by the Metropolitan Police Department in Washington, D.C., for Driving Under the Influence of Alcohol or a Drug, and Operating a Vehicle While Impaired. According to the police report, an officer responded to assist with standard field sobriety testing after a traffic accident. The officer noticed the defendant with extremely watery, glassy, and bloodshot eyes. The defendant failed the sobriety testing so he was arrested and transported to the station for processing. The officer identified the defendant via his Maryland driver's license.

Mr. Ferguson is scheduled to appear in DC Superior Court for a non-jury trial on June 7, 2018.

There were no indications the defendant was driving within the guidelines outlined in the Court's order.

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RE: Ferguson, Darrell

**STANDARD CONDITION #11: FAILURE TO NOTIFY PROBATION REGARDING CONTACT
WITH LAW ENFORCEMENT WITHIN 72 HOURS.**

The defendant failed to report the aforementioned contact with law enforcement to the probation office.

SEL/smk